



# The Daily Oregonian.

SATURDAY MORNING, JAN. 13, 1884.

## DEMOCRATIC "OBSERVER."

A gentleman of Boeberg, who is a democrat, who was born and became a democrat, and who frankly confesses that democracy "has grown up in his voice and muscle," is not altogether pleased with the Oregonian's political utterances. The fact is not surprising; That criticism of the democratic party should "grow up in themselves"—as he expresses it—of whose nature is formed upon the devotion to that party, is liable to be expected. Criticism of a party in which one is so entirely bound up in it, is apt to take almost as a personal assault, or reflection upon himself. There are multitudes to whom the success of the political party to which they are attached is by far the dearest object of existence. Every observer has many such. We had one in our ranks, a correspondent. He is a democrat and certain assurances of the Oregonian's views upon his services. There are repeated signs of the same class from time to time. Oregonians frequently bear similar impressions.

"What's this?" says our democratic friend, "the Oregonian can do nothing to please you?" It is not the provision of an independent press that the Oregonian can do nothing to please; that is the chief ground of attack to those who are attached to their party. Every observer has many such. We had one in our ranks, a correspondent. He is a democrat and certain assurances of the Oregonian's views upon his services. There are repeated signs of the same class from time to time. Oregonians frequently bear similar impressions.

In this opinion stood the mild judge encountered. They were Justices Swain, Miller, Davis, Stith and Bradley. Chief Justice Chase and Justice Nelson, Clifford and Fife presented a dissenting opinion, which was to the effect that the legal tender acts were wholly unconstitutional. Five of the eight judges held to this view. Chief Justice Chase and Justice Nelson, Nelson, Clifford and Fife, while the remaining three—Miller, Swaney and Davis—believed the acts to be constitutional. Since after this decision was rendered the personnel of the court was changed, Justice Strong being appointed in place of Miller, being now Bradley being added to the court, the dissenting question was brought up again, and a decision with anticipated the fall of the court, was made.

On the 21st of January, 1875, the Oregonian published the power to make United States notes legal tender for debts due, both before and after the passing of the acts. The decision was in these words:

We hold that the acts of congress unconstitutional, as applied to contracts made either before or after their passage. In so holding we concur in the opinion of the majority of the court, and sustain the power asserted by the constitution so far as they apply to contracts made before their enactment. That case was decided by a divided court, but the result is not surprising, but an administration under such guidance certainly ought not to have this in existence provided this court exists.

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We hold no hesitation, therefore, in declaring that the making of these notes a legal tender for debts due, both before and after the passing of such a newspaper as the Oregonian upon the election of Lincoln, "necessarily ceased" to favor tarriff, shows that it did not read the paper enough to know what it said, and yet it failed to publish articles in favor of such a measure, and has it been observed by its partisans, proclamations for doing the very thing which it is alleged by this friend to have omitted.

Wanted not extend this examination over the entire letter. Between the view taken from a strictly partisan standpoint and that taken from the standpoint of independent journalism there is a necessary and very wide difference. We should not plausibly afford the Oregonian whatever we might do, unless we should make the Oregonian a "strictly" democratic paper. This would be impossible, and yet we think every reader knows that we are strict republicans in heart and measure quite as much as democratic.

**KEEP DOWN THE TAX.**

If she goes into street cleaning under the present administration, two-thirds of the money appropriated thereto is likely to be stolen. There will be "cheaps" in purchases of horses, carriages and carts, in hiring laborers and manipulating the pay rolls, and in all the manifold ways in which unscrupulous jobbers, winked at by unscrupulous officials and sharing with them in intent to plunder, the city. A great many "old men"—about the style of speech supplied by our "instructive" city bosses—will be buying that job. Manual labor will be the sole source of profit. But the city attempts to do anything but that, and that necessarily, it ought to offend the most ordinary and conscientious business man. It is a outrage on every taxpayer, and will open a wide door to profiteering and swindling. Among the administration every jobber and corruptor in the city is gathered, all of them at work under the stimulus of greed and with their whole power of influence, to find ways to plunder the city. Will the common council double its tax and give them the opportunity they seek? In a big review these grafts of corruption will multiply, burrow and swarm like maggots in a fat carcass. Everything beyond what is indispensable or fit to be paid off till the city can get rid of the administration created by the Besser-Chapman contract and endorsed by the free-wheeling. That very profitably to the tax, as tax as a great many of us will be able to pay a story about the most abominable and despotic power of description could make lips impotent. Gentlemen of the common council, the taxpayers took to vote for protection of the city against the jobbers, whose schemes are already devised and prepared. The effect is to do it to refuse to levy this heavy tax. The higher taxes will yield more than twice as much money as ever before, and the police services almost self-sustaining. The fire department and river improvement together should not call for more than a two-mill tax; and, beyond these items and the necessary provision for the indebtedness which this administration has created, there should be only a great amount of necessary expense. All expenses should be postponed to the time when the city may get a capable business administration and a honest one. The proceeds of a twenty-mill or thirty-mill tax would be equaled by this administration just the same as the proceeds of a smaller levy. There is a plain opinion on the subject of this huge tax very now proposed, which the common council cannot with propriety ignore.

**BIO LEWIS ON PROHIBITION.**

Another earnest and distinguished advocate of prohibition, Dr. Bio Lewis of Boston, has come out squarely against prohibition legislation as a means for erasing the evils of the liquor traffic. What he has been for many years an uncompromising prohibitionist, he has at the same time been a close observer of the effects of prohibitory legislation. The logic of events has forced him to change his mind, and his conclusion is that prohibition as a general rule of arbitration is not practicable.

For twenty years he has attentively observed the operation of prohibitory legislation in his own state—Massachusetts. It was adopted in response to a public sentiment strictly in its favor, was carefully prepared by statesmen, men, and strengthened from time to time by various amendments, until there seemed to be no possible escape from its provisions. Yet at the end of twenty-four years of prohibition there were in Boston almost five thousand places in which intoxicating drinks could be purchased without let or hindrance. These startling facts convinced Dr. Lewis that the law was a failure, and so believing he has no hesitation in asking that legislation forbidding the trade in intoxicants cannot be enforced. A law that was violated more than three hundred thousand times a day in the most law-abiding city in the country, while the average punishment was not more than one or two cents daily, is successfully defended by any logic.

The change of opinion which Dr. Lewis has had forced him to take is not due to either severe criticism from his co-laborers in arms which he no longer supports. A number of clergymen of Boston have gone over to "respectfully" say that Dr. Lewis has abandoned the cause of temperance and gone over to the "dry party." This was a misrepresentation, since he claims to be as ardent a temperance man as ever, but commends to all workers in the temperance cause the necessity of enforcing those restraining and regulating enactments by which the evils of the liquor traffic are reduced to a minimum. He would have them look to those measures which are practical and congenial to the spirit of the vision and the inevitable.

## THE LEGAL TENDER QUESTION.

The case now before the supreme court involving the question whether a release of legal tender notes in time of peace is constitutional, is one of great importance, and its decision is awaited with deep and wide spread interest. A decision was rendered by this court on February 15, 1875, that creditors had no power to make United States notes a legal tender for pre-existing debts, but the reason of that opinion was to the effect that the legal tender notes were wholly unconstitutional. Five of the eight judges held to this view. Chief Justice Chase and Justice Nelson, Nelson, Clifford and Fife, while the remaining three—Miller, Swaney and Davis—believed the acts to be constitutional. Since after this decision was rendered the personnel of the court was changed, Justice Strong being appointed in place of Miller, being now Bradley being added to the court, the dissenting question was brought up again, and a decision with anticipated the fall of the court, was made.

On the 21st of January, 1875, the Oregonian published the power to make United States notes legal tender for debts due, both before and after the passing of the acts. The decision was in these words:

The court of appeals of New York has appropriated \$1,000,000 to the public expenses during the present fiscal year. The principal sum is \$1,000,000. The total for last year was \$1,000,000. The greatest increase was in the item of salaries. The "lives" are being taken care of and provided with "fees" for fees. The New York Tribune, commenting on the extravagance, says: "One of the things that stand at the head of the expenses is the enormous sum of \$1,000,000 which is spent annually for the support of the civil service. This is a sum which is wholly unnecessary, and which is a waste of public money."

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